

**COUNTY OF SAN LUIS OBISPO BOARD OF SUPERVISORS
AGENDA ITEM TRANSMITTAL**

(1) DEPARTMENT District Attorney		(2) MEETING DATE January 24, 2006		(3) CONTACT/PHONE Daniel A. Hilford, Assistant District Attorney (805) 781-5800	
(4) SUBJECT Resolution Authorizing the county to continue a grant with the State of California for a Spousal Abuser Prosecution Program for 2005-06.					
(5) SUMMARY OF REQUEST The District Attorney's Office requests authorization to reapply for grant funds made available through the Spousal Abuser Prosecution Program, which is administered by the Department of Justice (DOJ).					
(6) RECOMMENDED ACTION It is recommended that your Board approve the attached resolution authorizing the District Attorney's Office to submit an application for state grant funds in the amount of \$33,261 for a Spousal Abuser Prosecution Program for 2005-2006. A twenty percent County match is required (\$6,652) for a program total of \$39,913.					
(7) FUNDING SOURCE(S) State grant		(8) CURRENT YEAR COST \$39,913		(9) ANNUAL COST \$39,913	
(10) BUDGETED? <input checked="" type="checkbox"/> YES <input type="checkbox"/> N/A <input type="checkbox"/> NO					
(11) OTHER AGENCY/ADVISORY GROUP INVOLVEMENT (LIST): This request has been reviewed by the Administrative Office and County Counsel.					
(12) WILL REQUEST REQUIRE ADDITIONAL STAFF? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes, How Many? _____ <input type="checkbox"/> Permanent _____ <input type="checkbox"/> Limited Term _____ <input type="checkbox"/> Contract _____ <input type="checkbox"/> Temporary Help _____					
(14) SUPERVISOR DISTRICT(S) 1st, 2nd, 3rd, 4th, 5th, (All)			(15) LOCATION MAP <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A		
(16) AGENDA PLACEMENT <input checked="" type="checkbox"/> Consent <input type="checkbox"/> Hearing (Time Est. _____) <input type="checkbox"/> Presentation <input type="checkbox"/> Board Business (Time Est. _____)			(17) EXECUTED DOCUMENTS <input checked="" type="checkbox"/> Resolutions (Orig + 4 copies) <input type="checkbox"/> Contracts (Orig + 4 copies) <input type="checkbox"/> Ordinances (Orig + 4 copies) <input type="checkbox"/> N/A		
(18) NEED EXTRA EXECUTED COPIES? <input type="checkbox"/> Number: _____ <input type="checkbox"/> Attached <input checked="" type="checkbox"/> N/A			(19) APPROPRIATION TRANSFER REQUIRED? <input type="checkbox"/> Submitted <input type="checkbox"/> 4/5th's Vote Required <input type="checkbox"/> N/A		

(19) ADMINISTRATIVE OFFICE REVIEW <div style="font-family: cursive; font-size: 1.2em; margin-top: 10px;">OK [Signature]</div>	<div style="font-size: 2em; font-family: cursive; transform: rotate(-15deg);">B-25 (1-24-06)</div>
--	--

Gerald T. Shea
District Attorney

Daniel A. Hilford
Assistant District Attorney

Stephen F. Brown
Chief Deputy District Attorney

OFFICE OF THE DISTRICT ATTORNEY
County of San Luis Obispo



MEMORANDUM

TO: Board of Supervisors

FROM: Gerald T. Shea, District Attorney

DATE: January 24, 2006

SUBJECT: Resolution Authorizing the County to Continue an Agreement with the State of California for a Spousal Abuser Prosecution Program for 2005-06

.....

Recommendation

It is recommended that your Board approve the attached resolution authorizing the District Attorney's Office to submit an application for state grant funds in the amount of \$33,261 for a Spousal Abuser Prosecution Program for 2005-06. A twenty percent County match is required (\$6,652) for a program total of \$39,913.

Discussion

The goal of the Spousal Abuser Prosecution Program is to enhance the abilities of local prosecutors to prosecute spousal abuse cases and to minimize the emotional trauma for victims during the legal proceedings. The Spousal Abuser Prosecution Program was authorized under Assembly Bill 801, Chapter 599, Statutes of 1994. The program supports intensified efforts by District Attorneys in the prosecution of spousal abusers.

The objectives are achieved through vertical prosecution of Spousal Abuser Prosecution Program cases, reduced caseloads for Spousal Abuser Prosecution Program Investigators, utilization of trained Victim Witness staff and coordination with local victim support agencies. The grant includes the continued employment of a District Attorney Investigator.

Prior to the grant award in 1994-95, spousal abuse case investigations were handled by all District Attorney Investigators. After the grant was awarded, an Investigator was hired to exclusively investigate spousal abuse cases. This assured that one Investigator was assigned, ensuring that cases are investigated and prosecuted in a

B-25
2

Board of Supervisors

Re: Spousal Abuser Prosecution Program 2005-06

Date: January 24, 2006

Page 2

true vertical fashion. This approach has proven to reduce the trauma to victims and provide earlier and more thorough investigations. Thorough investigations lead to defendant confessions and early pleas without the necessity of a trial. This results in spousal victims not having to testify, which reduces trauma. Since the grant was implemented, conviction rates have risen, the number of cases have risen, and the trauma to spousal victims associated with their involvement in the criminal justice system has therefore been reduced significantly.

Other Agency Involvement

This requested has been reviewed by the Administrative Office and County Counsel.

Financial Consideration

The grant totals \$39,913, of which \$33,261 is from the state and \$6,652 from the county as a twenty percent required match. These funds may not supplant existing funding sources. This is the same as the 2004-05 level of funding.

Results

The renewal of this grant will allow victims of spousal abuse to be treated consistently by one District Attorney Investigator. Cases will continue to be investigated and prosecuted in a true vertical fashion.

This program is aligned with the District Attorney's goal to promote public safety through efficient and appropriate use of investigations and criminal sanctions so as to deter criminal activity, protect society and punish criminal conduct. The community wide result link is a safe community.

B-25
3

IN THE BOARD OF SUPERVISORS
COUNTY OF SAN LUIS OBISPO, STATE OF CALIFORNIA

24th day of January, 2006

PRESENT: Supervisors

ABSENT:

RESOLUTION NO. _____

**RESOLUTION AUTHORIZING THE COUNTY TO CONTINUE AN AGREEMENT
WITH THE STATE OF CALIFORNIA FOR A SPOUSAL ABUSER PROSECUTION
PROGRAM FOR 2005-2006**

The following resolution is hereby offered and read:

WHEREAS, the County of San Luis Obispo desires to continue an agreement with the State of California Department of Justice to provide a prosecution program focusing on defendants under arrest for spousal abuse called the Spousal Abuser Prosecution Program;

WHEREAS, the Department of Justice is authorized pursuant to Penal Code §273.81 to fund prosecution activities for fiscal year 2005-2006;

WHEREAS, the purpose of the program is to enhance the abilities of local prosecutors to prosecute spousal abuse cases and to minimize the emotional trauma for victims during legal proceedings;

WHEREAS, the objectives are achieved through vertical prosecution of spousal abuse cases, reduced caseloads for spousal abuse prosecutors and investigators, utilization of trained victim witness staff and coordination with local victim support agencies;

WHEREAS, the funds provided under this agreement are to supplement existing services to victims and are not to supplant those currently provided by county funds;

WHEREAS, the County of San Luis Obispo agrees to provide a twenty percent match to the grant amount awarded to the County for the Spousal Abuser Prosecution Program;

WHEREAS, the County of San Luis Obispo agrees to hold the Department of Justice harmless from any claims that arise from the use of the grant monies;

WHEREAS, the County desires to participate in such a program for the prosecution of spousal abusers.

B-25
4

Now THEREFORE, BE IT RESOLVED AND ORDERED by the Board of Supervisors of the County of San Luis Obispo, state of California, as follows:

1. That the recitals set forth herein are true, correct and valid; and
2. That the authority to sign the Spousal Abuser Prosecution Program grant award agreement for fiscal year 2005-2006, on behalf of the County of San Luis Obispo, is delegated to the San Luis Obispo County District Attorney.

On motion of Supervisor _____, seconded by _____, and on the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

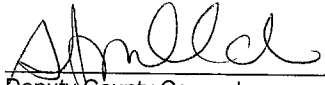
the foregoing resolution is hereby adopted.

Chair of the Board of Supervisors

APPROVED AS TO FORM AND LEGAL EFFECT:

JAMES B. LINDHOLM, JR.
County Counsel

By: _____


Deputy County Counsel

Dated: 8/23/05

STATE OF CALIFORNIA,)

County of San Luis Obispo)

: ss.

I, _____, County Clerk and ex-officio Clerk of the Board of Supervisors, in and for the County of San Luis Obispo, State of California, do hereby certify the foregoing to be a full, true and correct copy of an order made by the Board of Supervisors, as the same appears spread upon their minute book.

WITNESS my hand and the seal of said Board of Supervisors, affixed this _____ day of _____, 2005.

(SEAL)

County Clerk and Ex-Officio Clerk
of the Board of Supervisors

By _____

Deputy Clerk

B-25
5

State of California Department of Justice



2005/2006 Spousal Abuser Prosecution (SAP) Program Continuation Application **Due Date: July 15, 2005**

SAP Program Applicant: San Luis Obispo County District Attorney

Contact Person: Daniel A. Hilford, Assistant District Attorney

Phone Number: 805-781-5800

A complete Continuation Application Package (1 unbound original + 4 copies) includes:

1. Title Page
2. Application
3. Budget
4. Budget Narrative
5. Staff Verification Forms
6. Program Narrative

B-25
6

DEPARTMENT OF JUSTICE (DOJ)
SPOUSAL ABUSER PROSECUTION PROGRAM GRANT AWARD

The Department of Justice (DOJ) hereby makes a grant award of funds to San Luis Obispo County District Attorney (Grantee), in the amount and for the purpose and duration set forth in this grant award.

Award Number: 05SA12D027 Grant Period: 7/1/05 - 6/30/06
Amount of Grant: \$33,261
City/County Match: \$6,652
Total Project Cost: \$39,913

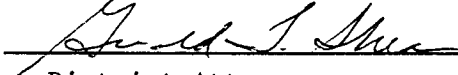
Implementing Agency: San Luis Obispo County District Attorney
District Attorney: Gerald T. Shea
Title: District Attorney Phone: 805-781-5800
Project Director: Gerald T. Shea
Title: District Attorney Phone: 805-781-5800
Address: 1035 Palm Street, Rm 450
City/Zip Code: San Luis Obispo, CA 93408
Email: gshea@co.slo.ca.us

The grant recipient signifies acceptance of this grant award and agrees to administer the grant project in accordance with the statute(s), the Program Guidelines, and the Request for Proposal as contained in the grant application prepared and submitted by the Implementing Agency and as approved by the Department of Justice (DOJ).

FOR DOJ USE ONLY

Item: _____
Chapter: _____
Amount: _____
Year: _____
Fund: _____
Program: _____

Official authorized to sign for Applicant/Grant Recipient:

Signature: 
Title: District Attorney
Printed Name: Gerald T. Shea
Address: Court House Annex, 4th Floor
San Luis Obispo, CA 93408
Phone: (805) 781-5800
Email: gshea@co.slo.ca.us

I hereby certify upon my own personal knowledge that budgeted funds are available for the period and purposes of the expenditure stated above:

Chief, Accounting Office, DOJ
Date: _____

Chief, Criminal Law, DOJ
Date: _____

B-25
7

2005-2006 SPOUSAL ABUSER PROSECUTION PROGRAM APPLICATION

Please type or print in black ink.

1. CITY OR COUNTY NAME: San Luis Obispo County

District or City Attorney's Name: Gerald T. Shea

Address: 1035 Palm Street, Rm. 450

City: San Luis Obispo State: CA Zip: 93408

Phone: 805-781-5800 Fax: 805-781-4307

E-mail: gshea@co.slo.ca.us

2. BUDGET

SAP Program Funds Requested: \$33,261.00

Cash Match: \$6,652.00

In-Kind Match: \$-0-

Total Program Cost: \$39,913.00

3. SAP PROGRAM DIRECTOR (Person responsible for developing and implementing program objectives.)

Name: Gerald T. Shea Title: District Attorney

Address: 1035 Palm Street, Rm. 450

City: San Luis Obispo State: CA Zip: 93408

Phone: 805-781-5800 Fax: 805-781-4307

E-mail: _____

4. SAP PROGRAM CONTACT (Person responsible for progress reports, staff verifications, etc.)

Name: Daniel A. Hilford Title: Assistant District Attorney

Address: 1035 Palm Street, Rm. 450

City: San Luis Obispo State: CA Zip: 93408

Phone: 805-781-5800 Fax: 805-781-4307

E-mail: dhilford@co.slo.ca.us

5. SAP PROGRAM FISCAL CONTACT (Person responsible for program invoices, budget modifications, etc.)

Name: Susan DeMaria Title: Administrative Services Officer

Address: 1035 Palm Street, Rm. 450

City: San Luis Obispo State: CA Zip: 93408

Phone: 805-781-5800 Fax: 805-781-4307

E-mail: sdemaria@co.slo.ca.us

B-25
8

Please type or print in black ink.

6. SAP PROGRAM STAFF (PROSECUTORS & INVESTIGATORS)

How many prosecutors will be assigned to the grant?

Do all SAP prosecutors meet the training and experience requirements of the grant?

Is there a VSQ attached to this application for each prosecutor working on the grant?

How many investigators will be assigned to the grant?

Do all SAP investigators meet the training and experience requirements of the grant?

Is there a VSQ attached to this application for each investigator working on the grant?

1
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
1
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

REDUCED CASELOADS

The SAP grant requires "A significant reduction of caseloads for SAP investigators and SAP prosecutors".

Is there a significant reduction (at least 25%) of caseloads for SAP investigators and SAP prosecutors?

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

7. SAP PROGRAM STAFF (DV Counselors/Victim Witness Advocates)

How many counselors/advocates will be assigned to the grant?

Do all SAP counselors/advocates meet the training and experience requirements of the grant?

Does your agency have an MOU or contract with an outside agency to provide counselors/advocates?

Note: If yes, please attach a copy to this application.

Is there a VSQ attached to this application for each counselor/advocate working on the grant?

Check the boxes that apply to the services provided to victims of domestic violence:

☒ Initiate and maintain contact with the victim

☒ Safety planning with the victim

☒ Make appropriate referrals to community agencies

☒ Provide language interpreter services

☒ Provide education on the legal system and the prosecution

☒ Keep the victim informed at all stages of the prosecution

☒ Appear with and support the victim at court hearings

☒ Coordinate with all members of the domestic violence team

1
<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

8. Describe the types of crimes prosecuted under the grant. (Example: Domestic Violence, Stalking, ...etc)

Cases prosecuted under the grant include, but are not limited to, domestic violence, stalking, and related crimes against the person.

9. Describe the criteria utilized by your office when determining whether or not to prosecute a domestic violence case.

(Example: extent or seriousness of the injuries; use of a gun or other weapon; defendant's prior criminal history;

past history of violence whether charged or uncharged; victim cooperation.)

Criteria for prosecuting a domestic violence case includes, but is not limited to, the relationship between the individuals, extent/seriousness of the injuries, use of a dangerous weapon, prior criminal history of defendant and prior history and violence whether charged or uncharged. Filing such charges is typically not dependent on victim cooperation.

B-25
9

Please type or print in black ink.

10. Does your office review "Domestic Violence Incident Reports" submitted by law enforcement, which did not result in an arrest?

☐ Yes ☒ No

11. Describe the criteria used when determining whether a domestic violence case is prosecuted as a felony or a misdemeanor.

(Example: extent or seriousness of the injuries, use of a gun or other weapon, defendant's prior criminal history, past history of violence whether charged or uncharged)

Crime charging criteria that are utilized to determine misdemeanor or felony charges include, but are not limited to, extent or seriousness of the injuries, use of a gun or other weapon, defendant's prior criminal history, past history of violence whether charged or uncharged.

12. What method of vertical prosecution does your SAP Program practice? Note: If other, explain.

☐ True ☐ Major ☒ Unit ☐ Other

Domestic violence cases are filed by designated filing deputy district attorneys. Felony cases are thereafter prosecuted in a vertical fashion, from arraignment to sentencing, by deputies assigned to our Sexual Assault/Domestic Violence Unit. Misdemeanor cases are vertically prosecuted by deputy district attorneys assigned to specific courts.

13. The SAP Program Guidelines require that "All reasonable prosecutorial efforts shall be made to reduce the time between arrest and disposition of charge against an individual meeting spousal abuser criteria". Describe your SAP Program's success in obtaining a reduction of time between arrest and disposition of domestic violence cases.

All in-custody arrest reports are reviewed immediately to ensure speedy arraignments pursuant to Penal Code Section 825. Many cases are resolved by plea at first arraignment due to vertical prosecution of both misdemeanor and felony cases.

14. The SAP Program Guidelines require that "All reasonable prosecutorial efforts shall be made to resist the pretrial release of a charged defendant meeting spousal abuser selection criteria". Describe your SAP Program's efforts to prevent pretrial release of domestic violence defendants.

As stated in #13 above, in-custody cases are promptly reviewed for filing to ensure that defendants are not released prior to arraignment as well as meeting speedy arraignment requirements of Penal Code Section 825.

15. The SAP Program Guidelines require that "All reasonable prosecutorial efforts shall be made to persuade the court to impose the most severe authorized sentence upon a person convicted after prosecution as a spousal abuser". Describe your SAP Program's efforts to ensure that the most severe sentence is issued.

Guilty pleas are required that coincide with the gravamen of the offense. Also, such pleas are taken to ensure that the batterer enroll in and complete the batterer's treatment/counseling course required by statute.

B-25
10

Please type or print in black ink.

16. Describe your SAP Program's policy concerning plea bargaining of domestic violence cases.

Guilty pleas are required that coincide with the gravament of the offense. Such pleas include prison commitments or jail or a condition of probation in aggravated cases or where there are prior convictions.

17. Does your office have a "Cell Phone Program" for victims of domestic violence?

☐ Yes ☒ No

18. Does your office have an automatic "Victim Information and Notification System" in place to notify victims of changes in the status (custody, location, sentence expiration) of offenders?

☒ Yes ☐ No

19. Does your office notify victims of changes in the status (custody, location, sentence expiration, etc...) of offenders?

☒ Yes ☐ No

20. Does your city or county have a "Domestic Violence Court"?

☐ Yes ☒ No

21. Does your city or county have a "Domestic Violence Response Team"?

☐ Yes ☒ No

22. Does your city or county have a "Domestic Violence Death Review Team"?

☐ Yes ☒ No

23. Does your city or county have a domestic violence outreach program?

☒ Yes ☐ No

24. Is domestic violence training offered to the law enforcement of your county?

☒ Yes ☐ No

25. Is domestic violence training offered to the judges of your county?

☒ Yes ☐ No

26. Does the law enforcement of your city or county use "photodocumentation" to document DV cases?

☐ Yes ☒ No

27. Does your office have written policy and procedures for the prosecution of domestic violence cases?

☒ Yes ☐ No

28. Official Authorized to Sign for Applicant/Grantee

The grant recipient signifies acceptance of this grant award and agrees to administer the grant project in accordance with the statutes and requirements as contained in the SAP Program Guidelines.

Signature:



Printed Name:

Gerald T. Shea

Email Address:

gshea@co.slo.ca.us

Title: District Attorney

Phone: 805-781-5800

Fax: 805-781-4307

B-25
11

2005-2006 SPOUSAL ABUSER PROSECUTION PROGRAM - Budget Form

CITY OR COUNTY NAME:

San Luis Obispo County

Revised 08/30/05

A. STAFF

	SAP Program Funds Requested	City or County Match	Total Program Funding
Salaries	33,261.00	6,652.00	39,913.00
Benefits	0.00	0.00	0.00
Subtotal	33,261.00	6,652.00	39,913.00

B. OPERATIONAL

Travel			0.00
Transportation			0.00
Training & Education			0.00
(Acquisition cost of more than \$1,000) Equipment			0.00
Supplies			0.00
SAP Program Audit			0.00
(Please attach explanation if more than \$1,000) Other			0.00
Subtotal	0.00	0.00	0.00

Total Budget	33,261.00	6,652.00	39,913.00
--------------	-----------	----------	-----------

C. Please list all prosecutors, investigators, and counselors/advocates working on the SAP Program

Name	Position (DDA, Advocate/ Counselor, Investigator)
Donna Jones	District Attorney Investigator
*Matt Kraut	Deputy District Attorney
*Karen Coffey	Victim Advocate

B-25
12

**SAN LUIS OBISPO COUNTY DISTRICT ATTORNEY
2005-06 SPOUSAL ABUSER PROSECUTION PROGRAM**

Revised with 8/29/05 Augmentation

Budget Narrative

The project's proposed budget supports the objectives and activities by staffing the program with an experienced investigator, to ensure that crimes are thoroughly investigated and that victims are assisted appropriately.

<u>SAPP District Attorney Investigator Salary</u>	<u>SAPP Grant</u>	<u>Match</u>
\$7,399.58 month x 12 months = \$89,795	\$33,261	\$6,652

The remaining salary costs and benefits costs of \$95,219 will be paid for by the County General Fund, along with operating expenses for the program.

Donna Jones - District Attorney Investigator III (Step 5)

Salary:	\$88,795/year	÷	12	=	\$7,399.58/Month
Benefits:	<u>\$42,628/year</u>				

Total Salary
And Benefits \$131,423

B-25
13

State of California
Department of Justice
Verification of Staff Qualifications (VSQ)

*For work performed under provisions of the California Spousal Abuser Prosecution Program as established by
California Penal Code section 273.8 and the 1994 Battered Women Protection Act*

To: Richard Trussell
Spousal Abuser Prosecution Program
Office of the Attorney General
1300 I Street, Room 1020
Sacramento, CA 95814

From: Gerald T. Shea
District Attorney
San Luis Obispo Co. District Attorney's Office
1035 Palm Street, Room 450
San Luis Obispo, CA 93408

Grant Number: 05SA12D027

Phone Number: 805-781-5800

Contact Person: Daniel A. Hilford

E-mail: dhilford@co.slo.ca.us

SAP Program Position:

☒ Prosecutor

(Former): Caryn Michaels

(Current): Matt Kraut

☒ Investigator

(Former): Donna Jones

(Current): Donna Jones

Funding:

☐ SAP Program 100 % Funded

☒ Other Sources

☐ Volunteer

☒ SAP Program 33 % Funded

☐ Other Sources

☐ Volunteer

The Battered Women Protection Act of 1994 requires Spousal Abuser Prosecution Units receiving "Spousal Abuser Prosecution Program" grant funds to assign highly qualified investigators and prosecutors to spousal abuse cases. (Pen. Code § 273.82 (4b))
(Please see SAP Program Guidelines.)

SAP Program Position:

☒ Domestic Violence Counselor/Advocate

(Former): Karen Coffey

(Current): Karen Coffey

Funding:

☐ SAP Program 100 % Funded

☒ Other Sources

☐ Volunteer

The Department of Justice requires that "Domestic Violence Counselors/Advocates" involved in the SAP Program meet the California Evidence Code section 1037.1 definition of a "Domestic Violence Counselor/Advocate". (Please see SAP Program Guidelines.)

I certify that the above listed prosecutor, investigator, and counselor/advocate of the Spousal Abuser Prosecution Unit of my county or city meets or exceeds the requirements as outlined by the SAP Program Guidelines.

Signature [Signature]

Date 6/13/05

Typed Name Daniel A. Hilford

Title Assistant District Attorney

DEPARTMENT OF JUSTICE - REVIEW AND APPROVAL

Signature _____

Date _____

Typed Name _____

Title _____

B-25
14

SAPP Project Narrative

The Spousal Abuser Prosecution Program (SAPP) grant funds a District Attorney Investigator. It has been determined by our office that this sensitive and complex caseload requires such a position which is exclusively dedicated to perform follow-up investigation in domestic violence cases. The need for the project and hence the position of District Attorney Investigator has demonstrated success in many cases. Without such funding, domestic violence cases could not be as thoroughly investigated and they would not receive the careful pretrial work up they require. This would result in some victims becoming uncooperative resulting in such victims possibly being unavailable for court testimony. This could result in the dismissal of cases. The ends of justice could not be served in such cases.

The goals and objectives of the assigned District Attorney Investigator within the Domestic Violence Prosecution Unit is to ensure that these cases are thoroughly investigated so that prosecutions are successful. Cases that are prepared in this fashion ultimately result in many guilty pleas which obviate the need to go to trial. Such investigative preparation which yields guilty pleas in many cases positively contributes to a number of results, including swift justice for the accused, obtaining appropriate sentences without the risk of trial, and avoiding retraumatizing victims.

Since the domestic violence caseload in our office is handled in a vertical fashion, with the same prosecutor handling the case assignment from initial arraignment through sentencing, the SAPP funded District Attorney Investigator offers a great deal of continuity to such prosecution effort. The SAPP funded District Attorney Investigator works closely with each prosecutor to ensure that, when a domestic violence case is submitted for filing, all reasonable investigative leads are followed and that supplemental investigative reports are prepared. Moreover, after the case is set for hearing or trial, the SAPP District Attorney Investigator continues to monitor the subsequent investigation of the case. This endeavor includes assisting in witness preparation for hearings or trial, crime scene photography and diagrams, obtaining necessary documents for trial, such as certified copies of the defendants' prior convictions, obtaining necessary victim medical records,

BJS
15

personal service of subpoenas, and victim transportation to court as needed.

The results and benefits that are expected from the SAPP funded District Attorney Investigator include cases that are fully and thoroughly investigated as well as assisting in victim contact throughout the prosecution process to ensure victim cooperation. Such endeavors by the SAPP funded District Attorney Investigator has historically yielded more cases that are successfully prosecuted. This has occurred as a result of continuous and consistent victim contact by the SAPP funded District Attorney Investigator in conjunction with the District Attorney Domestic Violence Victim Advocates. Without such victim contact and support, crime victims in domestic violence cases may become uncooperative for a myriad of reasons, and may return to the cycle of violence which a successful prosecution may avoid.

The SAPP funded District Attorney Investigator also performs a vital role in the collaborative efforts with other agencies and non-profit organizations. The SAPP funded District Attorney Investigator acts as a liaison between the District Attorney's Office and all outside law enforcement agencies and departments within our county. The District Attorney Investigator is available to respond in the field to assist in witness and victim interviews, crime scene evidence collection, and locating additional witnesses. The District Attorney Investigator assists Victim Witness Advocates during the pendency of the prosecution in victim contacts and support to help insure successful prosecutions. The District Attorney Investigator also may be contacted by the women's shelters within our county to assist with victim support during the pendency of a criminal prosecution.

Such collaborative efforts by the SAPP funded District Attorney Investigator with outside law enforcement and with any agency or department within the county which has been involved in providing victim services ensures that the victims' needs are met, that the cases are thoroughly investigated and prepared for trial, that the victims and witnesses are protected and are prepared for the court process, and that the ends of justice are appropriately and fairly served.

B-25
110

MEMORANDUM

TO: District Attorney Staff
FROM: Daniel A. Hilford, Assistant District Attorney
DATE: June 28, 2001
SUBJECT: Spousal Abuser Case Policy

.....
The following policies regarding spousal abuse cases continue to be in effect for this office. ~~These policies are required for any office receiving funds under the 1994 Battered Women Protection Act.~~

- A. ~~All reasonable prosecutorial efforts shall be made to resist the pretrial release of a charged defendant meeting spousal abuser selection criteria.~~
- B. All reasonable prosecutorial efforts shall be made to persuade the court to impose the most severe authorized sentence upon a person convicted after prosecution as a spousal abuser. In the prosecution of an intrafamily sexual abuse case, discretion may be exercised as to the type and nature of sentence recommended to the court.
- C. All reasonable prosecutorial efforts shall be made to reduce the time between arrest and disposition of charge against an individual meeting spousal abuser criteria.
- D. All policies developed in conjunction with the foregoing objectives shall be in writing and available to unit staff. These policies should be reviewed periodically to insure that they reflect current concepts and applicability. The existence and evaluation of current written policy regarding the foregoing will be considered when determining compliance with these objectives. (Penal Code Section 273.84)

Please see me if you need further clarification.

slb

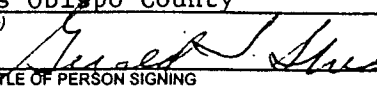
B-25
17

DRUG-FREE WORKPLACE CERTIFICATION

STD. 21 (REV. 12-93)

CERTIFICATION

I, the official named below, hereby swear that I am duly authorized legally to bind the contractor or grant recipient to the certification described below. I am fully aware that this certification, executed on the date below, is made under penalty of perjury under the laws of the State of California.

CONTRACTOR/BIDDER FIRM NAME		FEDERAL ID NUMBER
San Luis Obispo County		
BY (Authorized Signature)		DATE EXECUTED
		August 16, 2005
PRINTED NAME AND TITLE OF PERSON SIGNING		TELEPHONE NUMBER (Include Area Code)
Gerald T. Shea, District Attorney		(805) 781-5800
TITLE		
San Luis Obispo County District Attorney		
CONTRACTOR/BIDDER FIRM'S MAILING ADDRESS		
County Government Center, 4th Floor, San Luis Obispo, CA 93408		

The contractor or grant recipient named above hereby certifies compliance with Government Code Section 8355 in matters relating to providing a drug-free workplace. The above named contractor or grant recipient will:

1. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a).
2. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:
 - (a) The dangers of drug abuse in the workplace,
 - (b) The person's or organization's policy of maintaining a drug-free workplace,
 - (c) Any available counseling, rehabilitation and employee assistance programs, and
 - (d) Penalties that may be imposed upon employees for drug abuse violations.
3. Provide as required by Government Code Section 8355 (c), that every employee who works on the proposed contract or grant:
 - (a) Will receive a copy of the company's drug-free workplace policy statement, and
 - (b) Will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.
4. At the election of the contractor or grantee, from and after the "Date Executed" and until _____ (DATE) (NOT TO EXCEED 36 MONTHS), the state will regard this certificate as valid for all contracts or grants entered into between the contractor or grantee and this state agency without requiring the contractor or grantee to provide a new and individual certificate for each contract or grant. If the contractor or grantee elects to fill in the blank date, then the terms and conditions of this certificate shall have the same force, meaning, effect and enforceability as if a certificate were separately, specifically, and individually provided for each contract or grant between the contractor or grantee and this state agency.

B-25
17